IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE DR JUSTICE G.YETHIRAJULU
WRIT PETITION NO : 16536 of 2004

Between:

1. D.Beeraiah, s/o Gattaiah,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

2. K.Ramulu, s/o Mallaiah,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

3. Sd.Shamnahuddin, s/o Buran,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

4. P.Narasaiah, s/o Mallaiah,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

5. G.Somaiah, s/o Salaiah,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

6. Ch.Narasaiah, s/o Purushotham,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

7. V.Harilal, s/o Dhanja,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

8. B.Maraiah, s/o Samula,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

9. B.Achaiah, s/o Venkaiah,
   Kothagudem Thermal Power Station, Paloncha,
   Khammam District.

10. Ch.Mallaiah, s/o Somaiah,

Kothagudem Thermal Power Station, Paloncha,
Khammam District.

11. K.Mohari Rao, s/o Venkataramaiah,
Kothagudem Thermal Power Station, Paloncha,
Khammam District.

12. N.Bhadraiah, s/o Mallu,
Kothagudem Thermal Power Station, Paloncha,
Khammam District.

13. A.Thirupathaiah, s/o Narayana,
Kothagudem Thermal Power Station, Paloncha,
Khammam District.

14. P.Chalapathi, s/o Bullaiah,
Kothagudem Thermal Power Station, Paloncha,
Khammam District.

15. M.Venkaiah, s/o Veeraiah,
Kothagudem Thermal Power Station, Paloncha,
Khammam District.

..... PETITIONERS

AND

1. The Chairman & Managing Director,
A.P.Generation Corporation Ltd.,
Vidyutsoudha, Somajiguda,
HYDERABAD.

2. The Executive Director,
A.P. Power Generation Corporation Ltd.,
Vidyutsoudha, Somajiguda,
HYDERABAD.
3. The Chief Engineer (O&M),
Kothagudem Thermal Power Station, Paloncha,
A.P. Power Generation Corporation Ltd., Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of *Writ of Mandamus* declaring the action of the 1st respondent in not disposing of the appeal filed by the petitioners aggrieved by the common Lr.No.CE/O&M/KTPS/ADM/D.No.293/04, dated 3-2-2004 issued by the 3rd respondent is as arbitrary, illegal and

violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the 1st respondent to dispose of the appeal dt.27-8-2004 with regard to the promotion of the petitioners to the posts of Foremen Grade-I in KTPS 'A' station basing on the seniority of the 'Fitters' in K.T.P.S. 'A' Station.

Counsel for the Petitioners: MR.G.CHANDRAIAH

Counsel for the Respondents 1 to 3: SMT.K.SESHARAJYAM

The Court made the following:

THE HON'BLE SRI JUSTICE DR. G. YETHIRAJULU,

WRIT PETITION NO.16536 OF 2004

O R D E R:

The petitioners contended that they are working as Fitters under the control of the third respondent i.e. the Chief Engineer, Kothagudem Thermal Power Station, Paloncha, Khammam District. The petitioners further contend that they made an application to the third respondent for giving promotions to them, but the third respondent rejected the request through his proceedings vide Lr.No.CE/O&M/KTPS/ADM/D.No.293/04, dated 03.02.2004. Therefore, the petitioners being aggrieved by the said order, preferred an appeal to the first respondent on 27.08.2004.

2. The grievance of the petitioners is that the said appeal is not disposed of by the first respondent expeditiously, therefore, so much injustice is being caused to them since they are retiring within a short period, there is every urgency for disposal of the appeal.

3. In the light of the circumstances explained by the petitioner, the first respondent is directed to dispose of the appeal on merits, within three months, according to Rules.

The writ petition is accordingly disposed of. No costs.

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(DR.G. YETHIRAJULU,J)

15th September, 2004
Ksn

ASSITANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chairman & Managing Director,
   A.P. Generation Corporation Ltd.,
   Vidutsoudha, Somajiguda,
   HYDERABAD.

2. The Executive Director,
   A.P. Power Generation Corporation Ltd.,
   Vidyutsoudha, Somajiguda,
   HYDERABAD.

3. The Chief Engineer (O&M),
   Kothagudem Thermal Power Station, Paloncha,
   A.P. Power Generation Corporation Ltd., Khammam District.

4. Two C.D. copies.